

NOVEMBER 1<sup>st</sup>, 2007  
HON. DAVID N. HURD, Presiding  
Clerk: Craig B. Minor  
Steno: Nancy Freddoso

UTICA, NEW YORK

*SENTENCING*

10:00 A.M. COURT IN SESSION

FRANK RUSSO

5:06-CR-379

CAB

Max Stern, Esq.  
Alexandra Deal, Esq.

Deft appears w/his attorneys. AUSA Craig Benedict speaks on behalf of Government. Deft advised of his right to speak. Deft's attorney speaks. Deft declines. Judge Hurd orders deft committed to BOP for a term of 18 months on *Count 1* of the *Indictment*; 2 years supervised release with standard and special conditions; \$100.00 special assessment also imposed and due immediately. Ct. recommends to BOP that deft be confined at or near Salem, New Hampshire. Remaining counts dismissed upon motion of AUSA Craig Benedict. Deft to *surrender* by **2:00 p.m.** on *January 8<sup>th</sup>, 2008*. Deft advised of his right to appeal. Deft released on same bail and conditions as previously set pending surrender.

10:30 A.M. Recessed.